

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

Vantage Financial Services, Inc.
Plaintiff

v.

Nonprofit Service Group, Inc. and George E.
Miller
Defendants

CIVIL ACTION NO. 04-11686-WGY

**DEFENDANTS' MOTION TO COMPEL DISCOVERY AND FOR EXTENSION OF
TIME TO COMPLETE DISCOVERY**

Pursuant to Fed.R.Civ.P. 37, defendants Nonprofit Service Group, Inc. and George E. Miller move for an order compelling Plaintiff Vantage Financial Services Inc. ("Vantage") to respond to defendants' discovery. Vantage has failed to serve any answers to defendants' interrogatories, which were served on December 3, 2004. Vantage has recently submitted written responses to defendants' document requests, served on December 3, 2004 and February 1, 2005, but it has not produced any of the documents offered in its response. Furthermore, Vantage has stated its intention to withhold various categories of documents that are relevant to the claims and defenses in this action. Defendants request that Vantage be ordered to respond to and comply with all outstanding interrogatories and document requests and to produce all requested documents.

Defendants further request that the Court impose appropriate sanctions on Vantage for its failure to produce responsive discovery. Defendants specifically request that they be awarded costs and attorney's fees related to this motion and that the discovery deadline, as well as all other scheduling order deadlines, be extended ninety (90) days.

In further support of this motion defendants submit the accompanying Memorandum of Law, Affidavit of Richard L. Nahigian and Affidavit of Matthew J. Griffin

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1, Defendants request a hearing.

Respectfully submitted,
Nonprofit Service Group, Inc. and George
E. Miller,
By their attorneys,

/s/ Matthew J. Griffin
Richard L. Nahigian BBO No. 549096
Matthew J. Griffin BBO No. 641720
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LOCAL RULE 37.1 CERTIFICATION

The undersigned counsel hereby certifies that defendants have complied with the provisions of Local Rule 37.1. On March 21, 2005 the parties met and conferred in an attempt to narrow the areas of disagreement that are the subject of this motion.

/s/ Matthew J. Griffin
Matthew J. Griffin